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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/098,481

06/16/1998

MAGDALENA MIK

WD2-98-017

4158

22927

7590

04/04/2007

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EXAMINER

AKINTOLA, OLABODE

ART UNIT

PAPER NUMBER

3691

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/098,481	Applicant(s) MIK ET AL.	
	Examiner Olabode Akintola	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,6-9,12-15,18-20,22,34,38,39,42-45,50,51,55 and 57-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,6-9,12-15,18-20,22,34,38,39,42-45,50,51,55 and 57-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The finality of the previous office action is hereby withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3, 6-9, 12-15, 18-20, 22, 34, 38, 39, 42-45, 50, 51, 55 and 57-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyer et al (US 6208973) (“Boyer”).

Re claims 3, 6-9, 12-15, 18-20, 22, 34, 38, 39, 42-45, 50, 51, 55 and 57-61: Boyer teaches a method for processing a charge applied to at least one of a credit card account and a debit card account, the method comprising:

receiving charge data that indicates a transaction amount, a first merchant, and at least one of a credit card account and a debit card account of an account holder (col. 3, lines 9-38; col. 4, lines 24-48);

determining a financial account of a reimbursing party that corresponds to the at least one of the credit card account and the debit card account (col. 3, lines 9-38; col. 4, lines 24-48);

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determining a reimbursement amount that corresponds to the at least one of the credit card account and the debit card account, wherein the step of determining the reimbursement amount comprises (col. 6, lines 13-23; col. 11, lines 35-63);

determining a reimbursement rule that corresponds to the charge data, wherein the reimbursement rule specifies a second merchant, the charge data indicates a transaction date (col. 6, lines 13-23; col. 7, lines 1-10; figs. 2B and 5);

determining whether the first merchant corresponds to the second merchant, thereby determining if the charge data satisfies the reimbursement rule (col. 6, lines 13-25; col. 7, lines 1-10);

applying to the at least one of the credit card account and the debit card account a first charge amount that is based on a difference between the transaction amount and the reimbursement amount, if the charge data satisfies the reimbursement rule (col. 11, lines 35-63; col. 3, lines 30-38); and

applying to the financial account a second charge amount based on the reimbursement amount, if the charge data satisfies the reimbursement rule (col. 11, lines 35-63; col. 3, lines 30-38).

applying to the at least one of the credit card and the debit card account the second charge amount after a predetermined time after the transaction date

applying to the at least one of the credit card and the debit card account the second charge amount is performed if the second charge amount has not been paid before a predetermined time (col. 1, lines 34-39; col. 2, lines 52-64).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Visa® Patient Easy Pay Consent Form on National Information Services' PC software (PR Newswire), September 30, 1996.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA


HANI M. KAZIMI
PRIMARY EXAMINER